

To: Fells, Sandy[Fells.Sandy@epa.gov]
From: McGrath, Shaun
Sent: Tue 6/25/2013 8:03:32 PM
Subject: Re: FYI -- Two articles from June 25 EnergyWire: 1) HYDRAULIC FRACTURING: EPA's Pavillion decision leaves locals divided and 2) HYDRAULIC FRACTURING: Wyo. Pavillion study will bypass EPA well problems

Thx

From: Fells, Sandy
Sent: Tuesday, June 25, 2013 3:44:48 PM
To: Mylott, Richard; Oberley, Gregory; McClain-Vanderpool, Lisa; Allen, Matthew; Faulk, Libby; Mitre, Alfreda; Watchman-Moore, Derrith; Hestmark, Martin; Smith, Paula; Parker, Robert; Schmit, Ayn
Cc: Cantor, Howard; McGrath, Shaun; Janifer, Pamela
Subject: FYI -- Two articles from June 25 EnergyWire: 1) HYDRAULIC FRACTURING: EPA's Pavillion decision leaves locals divided and 2) HYDRAULIC FRACTURING: Wyo. Pavillion study will bypass EPA well problems

FYI --

1) HYDRAULIC FRACTURING: EPA's Pavillion decision leaves locals divided

Published: Tuesday, June 25, 2013

U.S. EPA dropped its investigation of groundwater contamination affecting homes near Pavillion, Wyo., last week, leaving state officials in charge of further review (*EnergyWire*, June 21).

Landowners in the area voiced mixed feelings about the decision. The long-standing controversy had drawn widespread scrutiny, especially since a December 2011 draft report tied nearby hydraulic fracturing operations to groundwater contamination. Fracking involves pumping water, sand and chemicals down well bores to break apart shale rock and release trapped oil and gas. The industrial technique has spurred a renaissance in hydrocarbon production across the U.S., but many locals affected by fracking insist it causes more trouble than it's worth.

"The people are still suffering out here," said Pavillion-area landowner Louis Meeks. "We need something done. It's going to delay it more and delay it more."

Others nearby were shocked by the sudden decision and worried that the state's newly announced study would leave their concerns unheard.

"Of course I'm very frustrated," said Jeff Locker, who said he hopes to be a part of the ongoing discussion about the investigation. "Officially, the landowners initiated the investigation with the EPA, and we've been part of the process all the way through. I feel totally thrown out of the loop."

Renny MacKay, a spokesman for Wyoming Gov. Matt Mead (R), said the state intended to allow residents to voice their opinions through the Pavillion Working Group, among other avenues.

"That working group will continue to exist and meet, and hear about the investigation," MacKay said. "Those are

public meetings where people can give feedback."

Some locals were pleased with the announcement that Wyoming would take over the investigation, including landowner John Martin, who had been skeptical of EPA's involvement.

"I got my property back in a very real way yesterday," Martin said Friday. "It's no longer held hostage by this garbage" (Adam Voge, [Casper \[Wyo.\] Star-Tribune](#), June 22). -- BS

2) HYDRAULIC FRACTURING: Wyo. Pavillion study will bypass EPA well problems

Ellen M. Gilmer, E&E reporter

Published: Tuesday, June 25, 2013

Updated at 3 p.m. EDT June 25 to reflect that Wyoming has not yet decided whether to use EPA's wells.

Wyoming investigators may sidestep two monitoring wells that led to controversy when U.S. EPA attempted to determine whether production in the Pavillion oil field contaminated water in the area.

EPA drilled the monitoring wells and relied on their data for the federal agency's late 2011 finding that linked fracking to deep groundwater contamination. But when the U.S. Geological Survey tried to replicate those results last year, it found one of the wells to be unusable because of low flow rates. The well problem fueled a stream of criticisms from the industry that EPA had been "sloppy" in its investigation.

In Wyoming's announcement last week that it would be taking over the investigation while EPA stepped back, the state also outlined an investigation plan that notably does not include the monitoring wells.

Instead, the Wyoming Oil and Gas Conservation Commission will test domestic drinking water wells and check the construction of oil and gas wells and pits. The study plan says further work "may or may not include" new groundwater monitoring wells. Aiding the study will be a \$1.5 million grant from Encana Oil & Gas Inc., the company accused of contaminating the water.

A spokesman for the state said that a decision had not been made on whether to use the EPA wells but that the data from EPA's analysis would be included "in the further investigation."

EPA's role as the study continues is limited. The agency will recommend experts to participate in reviewing the state's analysis and will be able to comment on the draft final report, due out at the end of this year.

Industry has cheered the development as a win for states' rights and has jumped on EPA's withdrawal as a backpedaling of the agency's previous findings. The agency has said it stands by its conclusions and will support Wyoming officials as they move forward ([EnergyWire](#), June 21).

Deb Thomas, an organizer for the Powder River Basin Resource Council, said she hoped the state reconsidered its plan to focus on existing water wells and oil and gas wells.

"The investigation needs many more monitoring wells to establish the issues," she said. "Now suddenly the state's going to, I don't know, wave their magic wand and make it all better for everybody?"

Since the announcement, Wyoming residents have expressed frustration that they were left out of the planning process for the state's investigation.

"Governor [Matt] Mead, the Obama administration, and Encana have decided what is best for our community without consulting us," John Fenton, chairman of Pavillion Area Concerned Citizens, said in a statement.

Sandy Fells

Regional Congressional Liaison

EPA, Region 8, Denver

303-312-6604